

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

November 18, 2014

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Shana M. Rooks, Commissioner Sonna Gregory, Commissioner Michael Edmondson, Commissioner Gail Hambrick, and Clerk Sandra T. Davis.

1. Chairman Turner called the meeting to order.
2. Invocation was led by Pastor Josh Goodrum of Miracle Temple of Riverdale, Georgia. Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by deleting item # 6 (**RFP PKG #11-43 Sports Photography Services for Clayton County Parks and Recreation, Annual Contract, Second Amendment Request for Additional Services.** [Score Photo, Inc., located in Kennesaw, Georgia]. Per Section 2-136 [2] Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater). Vote unanimous.
4. Approved the November 4, 2014 Regular Business Meeting minutes. Vote unanimous.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
 1. Donte' House, a resident of Clayton County, requested a waiver to run his business. He stated that when he presented all of his information to begin his business it was approved, then a month later he was advised that he would not be able to wash cars on that particular side of Clayton County. Mr. House expressed to the Board that he has placed all of his money into his business, and now he is stuck because the business is non-operational.

Chairman Turner explained to Mr. House that he would need to speak with Chief Operating Officer (COO) Alex Cohilas to provide more details in reference to the operation of his business.

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6. Approved the requests of Ramona Thurman, Interim Purchasing Agent of Central Services. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

1) **Request to Sell County Surplus Items, utilizing GovDeals.com.** as requested by the Central Services Department.

The list of items is as follows:

- a. Lot 422 -Air Conditioners and Misc. Metal Items
- b. Lot 423 -51 Computer towers without Hard Drives
- c. Lot 424 -47 Flat Panel Monitors & 10 Regular Monitors
- d. Lot 425 -A Metal Mule Cart
- e. Lot 426 -3 Basketball Goals
- f. Lot 427 -36 Assorted Printers
- g. Lot 428 -6 Filing Cabinets
- h. Lot 429 -Assorted Metal Shelving
- i. Lot 430 -193 Patio Cushion Chairs without arms
- j. Lot 431 -4 sets of lockers
- k. Lot 432 -8 Light Bars
- l. Lot 433 -31 UPS & Surge Protectors
- m. Lot 434 -37 Typewriters
- n. Lot 435 -40 Computer Towers without Hard Drives
- o. Lot 436 -39 Computer Towers without Hard Drives
- p. Lot 437 -31 Assorted Printers
- q. Lot 438 -37 Assorted Printers
- r. Lot 439 -5 Toro Lawn-mowers
- s. Lot 440 -6 Pieces of Assorted Lawn Equipment
- t. Lot 441 -2 Scag Riding Mowers
- u. Lot 442 -3 Scag Riding Mowers
- v. Lot 443 -2 Scag Riding Mowers with extra tires
- w. Lot 444 -6 sets of Cubicles with Desk-tops

Vote unanimous.

2) Approved **RFQ for Ground Ladder Testing and Aerial Device Examinations.** (POR #00000574. Fire One, Inc., located in Drexel Hill, Pennsylvania. Funding is available through the Fire Department Funds. As requested by the Fire/EMS Department). Per Section 2-136 (4) Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and

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services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

3) Approved **RFQ for Professional DJ Services.** (\$75.00 hourly rate / POR #00000476. Mitchell Crumley Soul 4 Real Services, LLC, located in Jonesboro, Georgia. Funding is available through the Senior Services Funds. As requested by the Senior Services Department). Per Section 2-136 (4) Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

4) Approved **Purchase of Vehicles for Clayton County Police Department.** (\$47,806.50 / Statewide Contract #99999-ES40199409-0001 with Akins Ford Dodge Jeep, located in Winder, Georgia. Funding is available through the County's Vehicle Replacement Funds. As requested by the Police Department). Per O.C.G.A, § 50-5-100 states, "The Department of Administrative Services is authorized to permit local political subdivisions, on an optional basis, to purchase their supplies through the state." Vote unanimous.

5) Approved **Resolution #2012-95 – 2004 SPLOST Consultant Design Services, Right of Way Services and Optional CEI Services for the Widening and Reconstruction of Godby Road Change Order Request, Second Contract Amendment.** (\$4,870.00 / AMEC E&I, Inc., located, in Alpharetta, Georgia. Funding is available through the 2004 SPLOST Funds. As requested by the Transportation and Development Department). Per Section 2-136 (2) Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

6) Approved **RFP PKG #13-40 SPLOST Construction Management At Risk Services for the Construction of the Multipurpose Fire Training Building, Contract**

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Guaranteed Maximum Price (GMP) Amendment. (\$4,128,796.00 / Potts Construction, LLC, located in Conyers, Georgia). Per Section 2-136 (2) Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

7) Approved **RFB PKG #14-09 Clayton County Ball Field Renovations – Annual Contract, First Amendment, Request for Additional Services.** (\$7,200.00 / Benson Construction Company, Inc., located in Tifton, Georgia. Funding is available through the 2009 SPLOST Funds. As requested by the Parks and Recreation Department). Per Section 2-136 (1) Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

8) Approved **RFB PKG #14-48 Clayton County Tree Services – Annual Contract.** (Computerbuzz, Inc., located in Atlanta, Georgia, As requested by the Building Maintenance Department, Parks and Recreation Department, and Transportation and Development Department5). Per Section 2-136 (1) Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

9) Approved **County's Public Entity Excess Liability Insurance Coverage for the period of December 31, 2014 through December 31, 2015.** This insurance coverage is for claims against the County alleging bodily injury, property damage, public official's liability,

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law enforcement liability, errors and omissions, employment practices liability, employee benefits liability. The renewal insurance with Starr Indemnity and Liability Company at \$459,600.00 will be a 2% reduction in the premium from last year's value of \$471,342.00, a savings of \$11,742.00 to the County. Vote unanimous.

10) **Approved County's Property and Boiler and Machinery Insurance Coverage for the period of January 1, 2015 through January 1, 2016.** This provides insurance coverage on County owned and leased buildings, their contents, garaged owned and leased vehicles and equipment. The renewal with Travelers at \$200,377.00 will be a 1.3% reduction in the premium from last year's value of \$203,048.00, a savings of \$2,671.00 to the County. Vote unanimous.

11) **Approved County's Aviation Insurance Coverage, including Aircraft, Airport Owners (Heliport) and associated liability coverage for the period of January 1, 2015 through January 1, 2016.** This insurance will provide coverage for the Clayton County's Pilots, Helipad, Aircraft and associated liabilities. The renewal with Ace Property and Casualty Insurance Company will result in a premium of \$37,438.00, no increase in the premium from last year. Vote unanimous.

7. Ramona Thurman, Chief Financial Officer, presented these requests which resulted in the following Board actions:

1) **Approved Budget Amendment #2-82/CCBOC Medical Self Insurance/FYE 6-30-14** – to provide funds for additional performance bond expense, claims expense, paying agent fees and to transfer funds to the workers compensation fund, in the amount of \$3,016,677.00. Vote unanimous.

Commissioner Edmondson questioned Ms. Thurman as to who receives the paying agent fees. Ms. Thurman replied that those fees are paid to the medical providers. He also asked if Clayton County contracted with the medical providers for a ten percent (10%) commission to pay themselves. Ms. Thurman replied that she was unsure of the exact amount, and would have to provide that information to the Board for a better understanding.

2) **Approved Budget Amendment #2-83/Workers Compensation Self Insurance/FYE 6-30-14** – to transfer funds in from the medical self-insurance fund to provide for additional workers compensation claims, in the amount of \$1,500,000.00. Vote unanimous.

3) **Approved Budget Amendment #2-10/Economic Development/FYE 6-30-15** – to amend in a donation received from Central Georgia EMC, in the amount of \$1,500.00. Vote unanimous.

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- 4) Approved Budget Amendment #2-11/Sheriff/FYE 6-30-15 – to amend in revenue received from the Department of Justice for the State Criminal Alien Program, in the amount of \$101,576.00. Vote unanimous.
 - 5) Approved Budget Amendment #4-52/2004 SPLOST Roads & Recreation/FYE 6-30-15 – to amend the budget for construction modifications on the Clark Howell Highway Realignment Project, in the amount of \$187,192.00. Vote unanimous.
 - 6) Approved Budget Amendment #4-53/2004 SPLOST Roads & Recreation/FYE 6-30-15 – to amend the budget for environmental services consultant, AMEC on the Godby Road Widening Project, in the amount of \$4,870.00. Vote unanimous.
 - 7) Approved Budget Amendment #4-55/2009 Reimposition SPLOST/FYE 6-30-15 – to amend the budget for funding for Lake Ridge Parkway sidewalk installation, in the amount of \$282,240.00. (RFB #14-49 was approved by the Board of Commissioners at the Regular Business Meeting on November 4, 2014). Vote unanimous.
 - 8) Approved Request for Release of Demolition Bond posted to clean up the lot at the property located at 6146 Fieldcrest Drive, Morrow, Georgia 30260, in the amount of \$500.00. Vote unanimous.
8. Renee Bright, Director of Human Resources, presented these requests which resulted in the following Board actions:
- 1) Approved Fire and Emergency Services requests to delete a vacant Fire Captain position (Grade 28) and create an Emergency Services Communications Officer (Grade 28). Vote unanimous.
 - 2) Approved Fire and Emergency Services requests to delete a vacant System Analyst/Emergency Management position (Grade 21) and create Emergency Management Training & Exercise Officer (Grade 21). Vote unanimous.
9. Christie Barnes, Chief Staff Attorney, presented the following ordinances and resolutions:
- 1) Adopted Ordinance 2014-286 – An Ordinance adopted under the Home Rule Powers specifically granted to the governing authority of Clayton County pursuant to Article IX, Section II, Paragraph 1(B)(1) of the Constitution of the State of Georgia of 1983, amending the Local Act of the General Assembly creating and composing the Clayton County Board of Commissioners and setting for the General provisions governing Clayton County Government; to amend the Clayton County Coded of Ordinances as amended, specifically Part I, Article II, Section 2-22 “Audits Generally”. **(Second Read)** Vote unanimous.

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Commissioner Edmondson stated that he was in full support of the audits outlined within this Ordinance; however, he requested that further explanation of Section 2-22 be given. Ms. Barnes explained that State law authorizes local government authorities to create boards or authorities, and that the Board of Commissioners creates the particular board or authority. She also confirmed that the Board of Commissioners have created the boards and authorities within the County for which members are appointed.

- 2) Adopted Ordinance 2014-288 - An Ordinance to amend the Code of Clayton County, Georgia, as amended, specifically, Code of Clayton County, Georgia, Part II, Chapter 70 "Personnel" by deleting the existing Article II "Code of Ethics". Vote unanimous.
- 3) Approved Resolution 2014-299 - A Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Georgia Public Defender Standards Council providing for the delivery of indigent defense services under the Georgia Indigent Defense Act for FY 2015. Vote unanimous.
- 4) Approved Resolution 2014-300 - A Resolution amending the Clayton County Emergency operations plan by adding Annex I "Clayton County Continuity of Government Operations Plan". Vote unanimous.
- 5) Approved Resolution 2014-301 - A Resolution authorizing Clayton County to enter into a License Agreement providing for the terms and conditions under which Doyle Baseball, Inc. will sponsor and host two coaching clinics at Flat Shoals Park and Panhandle Park. Vote unanimous.
- 6) Approved Resolution 2014-302 - A Resolution authorizing Clayton County Department of Parks and Recreation to apply for and, if awarded, accept a 2014 Georgia Recreation Trails Program grant administered by the State Department of Natural Resources. Vote unanimous.
- 7) Approved Resolution 2014-303 - A Resolution authorizing Clayton County to accept the donation of a portable trailer unit from the Clayton County Board of Education for the Clayton County Police Department. Vote unanimous.
- 8) Approved Resolution 2014-304 - A Resolution authorizing Clayton County to exercise its powers of eminent domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Godby Road Widening Improvement Project. Vote unanimous.

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- 9) Approved Resolution 2014-305 - A Resolution authorizing Clayton County to apply for, and if awarded, accept the Fiscal Year 2015 Local Maintenance and Improvement Grant from the Georgia Department of Transportation on behalf of Clayton County Transportation and Development. Vote unanimous.
- 10) Approved Resolution 2014-306 - A Resolution authorizing Clayton County to accept a Homeland Security Equipment Grant, from the Georgia Emergency Management Agency, in the amount of \$100,000.00 with no matching County funds to purchase explosive ordinance demolition equipment. Vote unanimous.
- 11) Approved Resolution 2014-307 - A Resolution authorizing Clayton County to enter into an Intergovernmental Agreement with the cities of Riverdale and Jonesboro for the operation of a joint anti-drug task force. Vote unanimous.
- 12) Approved Resolution 2014-308 - A Resolution authorizing Clayton County to enter into an Intergovernmental Agreement with the City of Atlanta for the operation of a joint anti-drug task force. Vote unanimous.
- 13) Approved Resolution 2014-309 - A Resolution authorizing Clayton County to enter into a contract with Dr. Paula Fredricks and Dr. Elizabeth Perry to provide urgent services for the Clayton County Animal Control Kennel. Vote unanimous.
- 14) Approved Resolution 2014-310 - A Resolution authorizing Clayton County to enter into a Natural Gas Extension Contract for gas services with Atlanta Gas Light Company. Vote unanimous.
- 15) Approved Resolution 2014-311 - A Resolution by the Clayton County Board of Commissioners eliminating the pre-agenda meetings held before each regularly scheduled business meeting. Vote unanimous.

Ms. Barnes requested an Executive Session to discuss litigation and personnel matters.

10. Approved the reappointment to the Housing Authority Board of Ms. Tonya Clarke. The term is a five (5) year term, expiring December 1, 2019. (Full-Board Appointment) Motion passed with 3-2. Chairman Turner and Vice-Chairman Rooks opposed.

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Motion by Commissioner Edmondson, second by Chairman Turner, to go into Executive Session to discuss litigation and personnel matters in the Commissioners' Conference Room at 7:28 p.m. Vote unanimous.

Motion by Commissioner Edmondson, second by Chairman Turner, to go out of Executive Session at 8:15 p.m. Vote unanimous.

Motion by Commissioner Edmondson, second by Chairman Turner, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:17 p.m. Vote unanimous.

Ms. Bright requested that the Board approve the request to fill a Work Release Coordinator position in the Sheriff's Office. She stated that this is due to an employee being reinstated by the Civil Service Board. Vote unanimous.

The Board approved the following items presented by Ms. Barnes:

1) Resolution 2014-312, A Resolution authorizing Clayton County to enter into a settlement agreement settling all claims set forth in the matters involving Thomas Parks. Vote unanimous

2) Resolution 2014-313, A Resolution authorizing Clayton County to enter into a mutual agreement and release with Arrelle Anderson. Motion passed 3-2. Commissioner Gregory and Commissioner Hambrick opposed.

There being no further business to discuss, motion by Commissioner Edmondson, second by Chairman Turner, to adjourn the Regular Business Meeting of November 18, 2014 at 8:19 p.m. Vote unanimous.